



SANDIA NATIONAL LABORATORIES

NFE AGREEMENTS

NON-FEDERAL ENTITY AGREEMENTS





PURPOSE OF NFE AGREEMENTS

To support its missions, Sandia National Laboratories' (SNL) engineers and scientists conduct research in many areas. Many of the technologies, processes, and special technical expertise they have developed have been applied to solving problems in the private sector through mutually beneficial, technology partnerships.

A company working with SNL on such an endeavor is known as a non-Federal entity (NFE). An NFE can be private industry and individuals, state and local governments, colleges and universities, non-profit organizations, international organizations, foreign governments, and foreign companies.

SNL has worked with a wide variety of Sponsors, including large companies and small businesses based in New Mexico. Projects involve a broad range of technologies including materials and materials processing, advanced manufacturing and precision engineering, microelectronics and photonics, advanced computing and information technologies, modeling and simulation, nanotechnologies, vulnerability analysis, robotics and intelligent systems, failure analysis and reliability technologies, software, and energy and environmental technologies. Such projects are planned with SNL, but funded entirely by an NFE Sponsor.

FUNDS-IN AGREEMENT (FIA)

Under a Funds-In Agreement (FIA), SNL can conduct work for an NFE Sponsor on a reimbursable basis. With this bilateral sales contract, the Sponsor provides 100% of the funding, which must be received before work commences. However, under certain conditions, a payment plan can be arranged. Costs are based on SNL's full cost recovery for the statement of work.

Benefits

- Makes SNL's unique resources available to private industry or other non-federal partners.
- Provides Sponsor access to SNL's unique capabilities, facilities, and equipment to validate or improve technologies.
- Protects proprietary information under agreement provisions.

Requirements

- Work cannot compete with capabilities in the private sector.
- Work cannot adversely impact Department of Energy (DOE) programs or create future burden for DOE.
- Work must benefit DOE and tie to SNL's mission.
- A written statement of work is needed.
- Legal terms and conditions must be accepted.
- DOE approval is required.
- Government retains non-exclusive, paid-up, royalty-free license to all FIA-generated intellectual property for government use.

DESIGNATED CAPABILITY (DC) AGREEMENT

A DC is a type of FIA whereby an SNL organization develops generic documentation that can be applied to various FIAs.

Benefits

- Allows SNL to provide similar services to different NFE Sponsors without duplicating documentation and processing requirements.
- Reduces processing time for individual agreements.
- Employs all other FIA benefits.

Requirements

- Work must fall within the scope of the generic, pre-approved statement of work.
- All other FIA requirements apply.

CONTACTS

For more information, please contact nfeadmin@sandia.gov.

NFE FUNDS-IN AGREEMENT PROCESS



SNL BEGINS WORK



GLOSSARY

Bilateral Sales Contract

A reciprocal arrangement between two parties whereby each promises to perform an act in exchange for the other party's act.

Cost Estimate

Calculation based on SNL's full cost recovery for the statement of work.

CRADA Agreement

A Cooperative Research and Development Agreement (CRADA) is a legal document that allows SNL to do joint research with a partner.

Flow-Down Provisions

Requirements from a Sponsor's contract with another agency that may also apply to any sub-contractor the Sponsor hires to assist with completion of the contract requirements.

Proprietary Information

Information that is not public knowledge and is viewed as the property of the holder.

Statement of Work

Description of the purpose, background, reasons for cooperation, tasks, responsibilities, deliverables, and funding for the work.

FAQS

Q: What is the typical processing time for an NFE Agreement?

- A: Once a statement of work and cost estimate is developed, it takes approximately 4-6 weeks to obtain the necessary internal approvals and issue the final agreement documents and invoice to the Sponsor. For foreign Sponsors, the processing time may be increased to approximately 6-8 weeks. Use this time frame in conjunction with the project deadline to assist in the planning process.

Q: Why does this agreement require DOE approval?

- A: As a Federally Funded Research and Development Center (FFRDC), SNL may perform work for industry under certain conditions. Because Sandia Corporation operates SNL as a contractor for DOE's NNSA; it must garner DOE's approval on all NFE agreements.

Q: Why NFE Agreements (versus CRADA Agreements)?

- A: NFE Agreements are utilized when SNL is performing reimbursable work for a non-federal Sponsor that does not involve collaboration between the two parties.

Q: Does Sandia accept flow-down provisions?

- A: The FIA is a stand-alone contract between the Sponsor and SNL and is not a subcontract to the Sponsor's contract with another federal agency. Therefore, the other federal agency's flow-down contract provisions will not apply.

Q: What is Sandia's pricing policy?

- A: It is DOE/National Nuclear Security Administration (NNSA) policy to establish prices and charges for materials and services provided to NFEs at SNL's full cost. Full cost to the Sponsor includes SNL's cost and a DOE/NNSA Federal Administrative Charge of 3%. Waivers of the Federal Administrative Charge are available to Sponsors that are small businesses, non-profit organizations, institutes of higher education, or state and local governments.

NOTE: The organization's DUNS number is required to generate an invoice and process funding for all agreements. In addition, the Sponsor must be registered in the Federal System for Award Management Database at www.sam.gov before agreements can be finalized.





**Sandia
National
Laboratories**



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